

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

RED BARN MOTORS, INC., PLATINUM)	
MOTORS, INC., and MATTINGLY AUTO)	
SALES, INC.,)	
)	
Plaintiffs,)	
)	CASE NO. 1:14-cv-01589-TWP-DML
vs.)	
)	
NEXTGEAR CAPITAL, INC., f/k/a/ DEALER)	
SERVICES CORPORATION,)	
)	
Defendants.)	

ORDER

Considering the foregoing *Motion to Revise Class Definition and Proceed with Class Notice to Known Class Members and Proposed Procedures for Providing Notice to Class Members Pursuant to Rule 23(c)(2)(B)* filed by Plaintiffs [Dkt. 276] (the “Motion”), and for the reasons stated therein:

IT IS ORDERED that the Motion be and hereby is **GRANTED**.

IT IS FURTHER ORDERED that the class definition be and hereby is modified. The revised class definition is:

All used car dealers in the United States of America that were parties to a Floorplan Agreement with DSC, n/k/a NextGear, effective during the time period of January 2005 through July 2013, and floor planned one or more vehicles with DSC/NextGear under such agreement.

IT IS FURTHER ORDERED that Plaintiffs may proceed with class notice to the 17,411 class members whose names and contact information have been produced by NextGear.

IT IS FURTHER ORDERED that the proposed class notice procedures described in the Motion to Proceed with Class Notice be and hereby are **APPROVED**.

Indianapolis, Indiana this _____ day of _____, 2019.

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